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HIGH COURT OF CHHATTISGARH AT BILASPUR

M.C.C. No.168 of 2007

Applicant		Sheetal Das, son of Late Shri B.K. Das, agede about 34 years, resident of Sindhiya Nagar, Durg, Distt. Durg (C.G.)
	Versus	
Non-Applicants	1.	State of Chhattisgarh, through - Secretary, Department of Revenue, Dau Kayan Singh Bhawan, Raipur (C.G.)
	2.	Under Secretary, Department of Revenue, Dau Kalyan Singh Bhawan, Raipur (C.G.)
	3.	Sub Divisional Officer, (Rev.) durg, Distt Durg (C.G.)

(Application under order 41 Rule 19 of the Civil Procedure Code)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri T.K. Tiwari, counsel for the petitioner.
Shri Satish Gupta, Dy. G.A. for the State/respondents

ORDER
(Passed on 13th June, 2007)

This court vide order dated 27.02.2007 dismissed the W.P.No.4904/05, as having become infructuous on the ground that the impugned transfer order dated 20.09.2005 was not given effect to for about 15 months. It was expected that the respondents/State would not insist on compliance of the order dated 20.09.2005, in view of the fact that the same was not given effect to for a long period. Accordingly, the matter was dismissed as having become infructuous.

2. Shri T.K. Tiwari, learned counsel appearing for the petitioner submits that the respondents/State are insisting on compliance of the earlier order dated 20.09.2005, which was not the spirit of the order dated 27.02.2007 passed by this Court in W.P. No. 4904/05.

3. In view of the above, it is clarified that the order dated 20.09.2005 shall not be given effect to. However, employer is at liberty to pass a fresh order in the public interest due to administrative reason.

4. This application for clarification is ordered accordingly.

Sd/-
Satish K. Agnihotri
Judge